

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
May 2, 2024**

Meeting video link: <https://www.youtube.com/channel/UCULgjuGhS-qV966RU2Z7AtA>

Present were:

Mike Rahn, Chairman  
Amanda Ballard, First Vice-Chairman  
Ray Turner, Second Vice-Chairman  
George Kruse  
Kevin Van Ostenbridge


Absent was:

Jason Bearden

District 1 seat is vacant.


Also present were:

Nicole Knapp, Director Development Services  
Rachel Layton, Division Manager and Impact Fee Administrator  
Sarah Schenk, Chief Assistant County Attorney  
Julissa Santana, Deputy Clerk, Clerk of the Circuit Court

 Chairman Rahn called the meeting to order at 9:00 a.m.

All witnesses and staff giving testimony were duly sworn.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

 The Invocation was delivered by Commissioner Ballard, followed by the Pledge of Allegiance led by Commissioner Kruse.

**AGENDA**

BC20240502DOC001

 Agenda Update Memorandum:

BC20240502DOC002


- Item 6- Approval and Execution of First Amendment to Subordination and Intercreditor Agreements between Manatee County (“Junior Lender”) and Citi Bank, N.A., a national banking association (“Senior Lender”) for Oneco 51 Senior Apartments, Ltd., a Florida limited liability partnership (“Borrower”) for The Savoy at 301 Apartments (“the project”); and Oneco 51 Family Apartments, Ltd., a Florida limited liability partnership (“Borrower”) for 301 Flats Apartments (“the project”) Affordable Housing Developments;
- Item 7- LDCT-23-12 / Ordinance 24-07 County-Initiated Land Development Code Text Amendment Food Trucks- Revised Ordinance- minor change to Section 531.64.I as highlighted in Ordinance attached;
- Item 11- PDC-23-50(P) – University Carwash – (BW University Shade, LLC, (Owner) - Updates to Preliminary Site Plan since last hearing see attached letter from the applicants Engineer;
- Item 12- Proposed Ballot Initiative for the Existing Environmental Lands Tax

Agenda Update Memorandum 2:


BC20240502DOC003

- Item 7- LDCT-23-12 / Ordinance 24-07 County-Initiated Land Development Code Text Amendment Food Trucks- Revised Ordinance- minor change to Section 531.13 as highlighted in Ordinance attached

**CITIZEN COMMENTS** (Future Agenda Items)

 There being no public comment, Chairman Rahn closed public comment.

**CONSENT AGENDA**

 A motion was made by Commissioner Ballard, seconded by Commissioner Kruse, and carried 5-0, with Commissioner Bearden absent, to approve the Consent Agenda.

There being no public comment, Chairman Rahn closed public comment.

1. **DEVELOPMENT SERVICES/AGREEMENT**

- Adopted Resolution R-24-081; Budgeting and Appropriating legally available funds for Gap Loan to Nest at Robins' Apartments, LLC for Nest at Robins Apartments (The Project);
- Approving and Authorizing Loan documents consistent with the amended Loan Term Letter, executed January 29, 2024 BC20240502DOC004

2. **DEVELOPMENT SERVICES/AGREEMENT**

Approved and executed Gap Loan Agreements between Manatee County and Nest at Robins Apartments, LLC for Nest at Robins Apartments (the Project), a 182-unit Multi-Family Affordable Housing development located at 2303 1st Street East, Bradenton FL 34208 in the principal amount of \$3,500,000 BC20240502DOC005

3. **DEVELOPMENT SERVICES/FINAL PLAT/GRAND OAK SUBDIVISION**

Executed and authorized recording of Final Subdivision Plat BC20240502DOC006

4. **DEVELOPMENT SERVICES/FINAL PLAT/BUCKHEAD TRAILS PHASE IA**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Public Subdivision with Public Improvements for Buckhead Trails Phase IA;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Buckhead Trails Phase IA, Surety Bond 21BSBJB4539, \$3,433,069.22;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Buckhead Trails Phase IA, Surety Bond 21BSBJB4541, \$132,313.60;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Public Subdivision with Private Improvements for Buckhead Trails Phase IA;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Buckhead Trails Phase IA, Surety Bond 21BSBJB4540, \$378,596.95;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Buckhead Trails Phase IA, Surety Bond 9445771, \$28,375.10; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Buckhead Trails Phase IA, Surety Bond 9445772, \$13,610.74;

BC20240502DOC007

5. **DEVELOPMENT SERVICES/FINAL PLAT/STAR FARMS PHASE VI**

- Executed and authorized recording of Final Subdivision Plat;
- Recorded the Fourteenth Amendment to Community Declaration for Star Farms at Lakewood Ranch;
- Accepted, Executed, and authorized recording of Mortgagee's Joinder in Ratification of Subdivision Plat and All Dedications and Reservations Thereon for Star Farms Phase VI Subphases A-G;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Public Improvements Star Farms Phase VI Subphases A-G from Forestar (USA) Real Estate Group, Inc. a Delaware Corporation;
- Authorized the County Administrator to accept and execute Surety Bond for Performance

- of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337272, \$260,872.63;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337273, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337275, \$77,473.98;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 233776, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 233779 \$389,919.25;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 233780, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 233783 issued through Swiss Re Corporate Solutions America Insurance Company for \$286,008.45;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 233784, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance, Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243986, \$834,363.40;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243987, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243990, \$13,000;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243991, \$13,000.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243994, \$909,459.53;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243995, \$13,000;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Private Improvements Star Farms Phase VI Subphases A-G from Forestar (USA) Real Estate Group, Inc. a Delaware Corporation;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337288, \$3,510;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337287, \$530,688.08;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337286,

- \$30,127.50;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337289, \$7,930.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337274, \$1,183,061.56;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337285, \$67,630.55;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337290, \$4,420;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337278, \$837,856.18;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337277, \$41,453.75;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337291, \$11,554.40;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337282, \$646,151.87;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337281, \$30,613.70;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337292, \$34,786.70;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243985, \$1,720,366.51;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243984, \$89,095.50;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337293, \$3,510;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243989, \$85,332.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243988, \$1,950;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 2337294, \$33,439.90;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243993, \$1,861,755.68;
- Authorized the County Administrator to accept and execute Surety Bond for Performance

of Required Improvements, Star Farms Phase VI Subphases A-G, Surety Bond 016243992,  
\$114,432.50. BC20240502DOC008


6. **DEVELOPMENT SERVICES/AGREEMENT**

Executed the First Amendment to Subordination and Intercreditor Agreements as presented for and between Manatee County (“Junior Lender”) and Citi Bank, N.A., (“Senior Lender”) for Oneco 51 Senior Apartments, Ltd., and Oneco 51 Family Apartments, Ltd., for the two affordable housing development projects known as (The Savoy at 301 Senior Apartments) and (301 Flats Family Apartments) BC20240502DOC009


(End Consent Agenda)

**PUBLIC HEARINGS** (Presentations upon Request)


7. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance LDCT-23-12 / Ordinance 24-07 County-Initiated Land Development Code Text Amendment Food Trucks. The Planning Commission recommended approval.

There being no public comment, Chairman Rahn closed public comment.


 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Land Development Code Text Amendments in Section 341, Commissioner Kruse moved to adopt Manatee County Ordinance 24-07 / LDCT-23-12, amending the Manatee County LDC, as detailed herein, as recommended by the Planning Commission. The motion was seconded by Commissioner Turner, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC010

8. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDR-23-26(Z)(G)/LWR Parcel J/SMR Northeast, LLC. The Planning Commission recommended approval.

There were no ex parte communications.


There being no public comment, Chairman Rahn closed public comment.


 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, and in compliance with the review standards of the Land Development Code, as conditioned herein, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance PDR-23-26(Z)(G), approve a General Development Plan with Stipulations A.1-A.8, B.1, C.1- C.6, D.1-D.5; adopt the Findings for Specific Approval; and grant Specific Approval for alternatives to Land Development Code Sections: 1) 401.5.A.2 to remove the requirement for a six-foot wall between three-story multifamily and two-story single-family use; and 2) 701.4.B.3 to remove the requirement for a screening buffer between multifamily and single-family use, as recommended by the Planning Commission. The motion was seconded by Commissioner Ballard, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC011

9. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance Z-23-34/Tibisay Josefina Perez De Osuna Rezone (Owner). The Planning Commission recommended approval.

There were no ex parte communications.


 Discussion ensued regarding regulations in lot sizes, unnecessary extensive approval process, and the possibility of a refund for the applicant.

 Daniel Hernandez expressed concern regarding utility services.


There being no further public comment, Chairman Rahn closed public comment.

 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable review standards of the Land Development Code, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance Z-23-34, as recommended by the Planning Commission. The motion was seconded by Commissioner Turner, and carried 5-0, with Commissioner Bearden absent.

 Rachel Layton, Division Manager and Impact Fee Administrator, addressed the Boards questions regarding a refund, and utility services.


 A motion was made by Commissioner Kruse to direct Development Services to refund the cost of the amount spent back to the applicant. The motion was seconded by Commissioner Ballard, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC012

10. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance Z-23-27/3012 Land Rezone/Julie S and Michael D Johnson. The Planning Commission recommended approval.

There were no ex parte communications.

There being no public comment, Chairman Rahn closed public comment.


 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable standards for review of the Manatee County Land Development Code, Commissioner Ballard moved to adopt Manatee County Zoning Ordinance Z-23-27, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC013

**PUBLIC HEARINGS** (Presentations Scheduled)


11. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDC-23-50(P)/University Carwash/(BW University Shade, LLC, (Owner). The Planning Commission recommended approval.


There were no ex parte communications.

 Scott Rudacille, representing the applicant, utilized a slide presentation to review the request in approving a Preliminary Site Plan for a carwash facility on 0.82 acres, the site is currently zoned PDC/AI (Planned Development Commercial/Airport Impact Overlay), and lies


within the University at 301 Entranceway special district, and the MU (Mixed-Use) Future Land Use Category.

 Discussion ensued regarding stipulations, a letter of support from the owner of the neighboring property, and hours of operation.


 Rossina Leider, Planning Section Manager, Planner, displayed a slide presentation to review the request, Future Land Use Category, zoning, aerial of the site, surrounding uses, site plan information, positive and negative aspects, and mitigating measures.

 Sandra Miranda expressed concern regarding traffic congestion, and poorly maintained roads.

There being no further public comment, Chairman Rahn closed public comment.

 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable standards for review in the Manatee County Land Development Code, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance PDC-23-50(P), approve a Preliminary Site Plan with Stipulations A.1-A.5, B.1-B.5, C.1, D.1, E.1-E.3, and F.1-F.3; adopt the Findings for Specific Approval; and grant Specific Approval for alternatives to Land Development Code Sections: 1) 701.4.B.3.(ii): Reduce the required 10-foot buffer to six-feet along the northern boundary; 2) 402.11.D.(3): Reduce the required 30-foot front setback along University Parkway to 20-feet; 3) 402.11.D.(3): Reduce the required 30-foot front setback along Shade Avenue to 15-feet; 4) 531.10.C: Reduce the required setback for the car wash drying area from 50-feet to 15-feet from any adjacent residential uses; 5) 531.10.D: Reduce the required setback for full-service car wash structures from 35-feet to 15-feet from any adjacent residential uses; 6.A) 531.16.A: Reduce the required setback for the vehicular stacking area of a drive-through from 30-feet to 15-feet from any adjacent residential zoning/uses along the west boundary; 6.B) 531.16.A: Reduce the required setback for the vehicular stacking area of a drive-through from 30-feet to six-and-a-half-feet from any adjacent residential zoning/uses along the north boundary; 7) 900.5.C.4: Reduce the requirement for all trees exceeding 24-inch DBH to be preserved in order to qualify for administrative approval in the Entranceway; 8) 900.6.A.2: Reduce the required 20-foot roadway buffer to 12-feet along Shade Avenue; 9) 900.6.B.2: Eliminate the requirement to provide internal cross-access with adjacent properties in the Entranceway, as recommended by the Planning Commission. The motion was seconded by Commissioner Turner, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC014

12. **PROPOSED BALLOT INITIATIVE FOR THE EXISTING ENVIRONMENTAL LANDS TAX**

 A motion was made by Commissioner Kruse to direct Financial Management and the County Attorney’s Office to prepare a resolution to be brought back to the Board to provide for additional bonding capacity, subject to approval of a bond referendum, and to enable the County to pay the costs of conservation and parks projects. The motion was seconded by Commissioner Ballard, and carried 5-0, with Commissioner Bearden absent. BC20240502DOC015

**ADJOURN**

 There being no further business, Chairman Rahn adjourned the meeting at 9:41 a.m.

Minutes Approved: June 6, 2024